

**KANSAS STATE BOARD OF MORTUARY ARTS  
700 SW JACKSON, SUITE #904  
TOPEKA, KANSAS**

**The Board Meeting of Thursday, April 8, 2021  
Senate Room, Jayhawk Tower Building**

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**Format of Minutes:**

On each motion there appear the names of two board members in a parenthesis. The first named made the motion, and the second named made the second. Ayes and Nays will be recorded at a voter's request.

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**Thursday, April 8, 2021:**

- I. 9:00 a.m.** The meeting of the Kansas State Board of Mortuary Arts (KSBMA) was called to order by Vice President Elliott.

Roll call by Executive Secretary J.W. Carey found the following board members in attendance: Vice President Amy Elliott, Lenexa, Consumer; Craig Boomhower, Garden City, Licensee; Robert J. "Bob" Steil, Lawrence, Consumer. Executive Secretary J.W. Carey and Assistant Attorney General Laine Barnard and Jane Weiler were also in attendance.

The board noted this meeting's tentative agenda that is displayed on the agency's website at: <http://ksbma.ks.gov/> under the heading of *Upcoming Meetings*.

(Boomhower-Steil) To approve a final agenda for this meeting. Carried.

(Boomhower-Steil) To adopt the February 11, 2020 rescheduled board meeting minutes. Carried. These minutes will be signed by President Bedene and Executive Secretary Carey, then displayed on the board's website.

The board reviewed results of the written funeral directors' examination administered on February 11, 2021 noting that 100% (all three applicants) were successful.

The board reviewed results of the written assistant funeral directors' examinations administered in February, March and April 2020 noting that roughly 83% (five of the six applicants) were successful.

The board reviewed the 'Interview Times' and the 'List of Licensure Applicants' scheduled to interview with the board at this meeting, noting that seven applicants are scheduled to meet with the board: two embalmer-funeral director applicants, three funeral director applicants and two reciprocal funeral director applicant. Following approval by the Board, seven applicants are scheduled to

be administered the written funeral directors' examination in conjunction with this meeting.

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- II. 9:10 a.m.** The board reviewed individual applications for licensure along with the executive secretary's summations of the applicant's apprentice and supervising licensee progress reports. Applicants for licensure will be interviewed later in this meeting. All funeral director applicants will be administered the written funeral directors' examination proctored by Office Manager, Kim Cottrell at 1:30 p.m. this afternoon in the Florentine Room of the Jayhawk Tower.

Quarterly apprentice progress reports of embalmer/funeral director apprentices and supervising licensees that were due March 15, 2021 were summarized by the executive secretary with copies of the individual reports available for board members to review.

Reviewed reciprocal license verification from the Missouri State Board of Embalmers and Funeral Directors and paid reciprocal license application for a reciprocal funeral director applicant.

Reviewed reciprocal license certification from the State of California, Department of Consumer Affairs, Cemetery and Funeral Bureau and paid reciprocal license application for a reciprocal funeral director applicant.

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**III. 9:25 a.m. Investigative Committee (IC) Report:**

Twelve files were closed with fourteen files remaining open at this time.

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**IV. 9:30 a.m. 2021 Kansas Legislative Session Update Information:**

- 1) The Board reviewed and discussed the Legislation tracked by Executive Secretary Carey.  
A bill being tracked by the KSBMA, include:
  - a) Senate Bill No. 10—concerning labor and employment; relating to occupational licensing and regulation; enacting the right to earn a living act.
  - b) Senate Bill No. 34—concerning administrative rule and regulations; relating to automatic sunset, exception there to; renewal by legislature; certification by revisor of statutes; requirement for adoption of rules and regulations.
  - c) House Bill No. 2066—concerning occupational regulation; relating to occupational licenses for certain applicants; telemedicine; temporary emergency licenses; electronic credentials.
  - d) House Bill No. 2107—concerning funeral processions; relating to the regulation thereof; creation a violation for not yielding the right-of-way to funeral processions.
  - e) Senate Bill No. 137—concerning occupational regulation; relating to occupational licenses for certain applicants; telemedicine; temporary emergency licenses; electronic credentials.
  - f) Senate Bill 131—concerning funeral processions; relating to the regulation thereof; permitting funeral escorts to direct funeral

- g) procession traffic through intersections and traffic control devices. Substitute for House Bill No. 2066-concerning occupational regulation; relating to occupational licenses for certain applicants; temporary emergency licenses; electronic credentials.
- h) House Bill No. 2254-concerning funeral preparations; relating to prearranged funeral agreements; increasing the monetary cap on irrevocable agreements; relating to preparation of bodies for a funeral or cremation; removing the requirement to provide a permit to cremate in certain circumstances; authorizing electronic permits to cremate.

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**V. 9:40 a.m. General Counsel Legal Update:**

- 1) Review of Executive Order No. 21-09
- 2) Sedgwick District Court Subpoena
- 3) (Steil-Boomhower) Pursuant to K.S.A. 75-4319, I move that the Board recess into executive session for twenty five minutes (25) and reconvene the open meeting at 10:05 a.m. The meeting will reconvene in the current board room.

The justification is consultation that would be deemed privileged in the attorney-client relationship with the Board's legal counsel, Assistant Attorneys General Laine Barnard and Jane Weiler. The subject to be discussed in the executive session concerns privileges of the Board. Board staff who are included as the client in the executive session are J.W. Carey. All other attendees are asked to exit the room at this time. Carried.

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**VI. 10:05 a.m. Board Business:**

- 1) (Steil-Elliott) To approve the quarterly lists of continuing education. Carried. Lists approved were: Scheduled (On-Site) Programs (Listing by Date of Program from the KSBMA web site), Ongoing Programs, Home-Study/Correspondence Programs and the list of Crematory Operator Programs. These items are updated regularly and are available on the board's website.
- 2) (Boomhower-Steil) To approve the list of lapsed licenses. Carried. This list contains the names of individuals whose license renewals are past due for longer than six months, who have requested that their licenses be dropped or who have died and in the case of assistant funeral directors, who are no longer employed at a funeral home under the supervision of a funeral director. The current list reviewed and approved by the Board included zero assistant funeral director licenses, zero crematory operator licenses, one embalmer licenses and two funeral director licenses. This information is provided for a number of reasons, including use by the Office of Vital Statistics (OVS) for purposes of licensure verification on death certificates.
- 3) The board reviewed the draft list of Automatically Suspended Licenses. This list contains the names of individuals who have not paid their license renewal fees by the appropriate due date and have not requested that their licenses be dropped. Once a license is six months in arrears, it is then automatically placed on the lapsed license list for purposes of being

dropped. Due to Senate Bill No. 14 on January 25, 2021 and Executive Order No. 21-02 on January 26, 2021, will expire on March 31, 2021, any license that was in good standing as of March 12, 2020 remains valid at this time due to the State Disaster Emergency currently scheduled to expire on March 31, 2021. On April 1, 2021, Executive Order No. 21-09 was issued extending occupational licenses during the state of disaster emergency. This draft list includes twenty six embalmer licenses, twenty nine funeral director licenses, seventeen assistant funeral director licenses, thirteen crematory operator licenses, five establishment licenses and one branch establishment licenses for license renewals due through January 26, 2021.

- 4) The board reviewed the following lists of information for the quarter: Changes in Funeral Home and Crematory Ownership with zero crematories, one funeral establishment and zero branch funeral establishments noted. The list of Closed Funeral Homes and Crematories to report this quarter consists of one funeral homes and zero crematories.
- 5) The Board reviewed the current roster of apprentice embalmers and funeral directors. A total of twenty apprentices are currently registered with the board, including: fourteen embalmer-funeral director apprentices, zero embalmers and six funeral director apprentices.
- 6) Articles/information of interest involving the agency, licensure, regulation and the funeral profession in general were provided to board members and legal counsel regarding articles on a wide range of subjects, including: The State of Kansas moving into Phase 3 & 4 for employee vaccinations.
- 7) Board Meeting dates for 2021, include: July 8, and October 14.
- 8) The Board discussed the updated situation involving license renewals and continuing education and the following Executive Orders from Kansas Governor Laura Kelly relating to COVID-19:
  - a) The State of Disaster Emergency, as extended by Senate Bill No. 14 on January 25, 2021 and Executive Order No. 21-02 on January 26, 2021, will expire on March 31, 2021. Renewal applications for licenses expired or set to expire between March 12, 2020 and March 31, 2021, as well as required continuing education, will be considered timely if received by the KSBMA on or before March 31, 2021. The KSBMA will consider the renewal application late and the license invalid if received after March 31, 2021.
- 9) Updated information pertaining to Board Members and Administrative Staff was provided and discussed.

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**VII. 10:20 a.m. Executive Secretary's Report:**

- 1) Updated Budget Information:
  - a) Current FY 2021 (July 1, 2020–June 30, 2021) The amount approved by the 2020 Kansas Legislature is \$325,571.
  - b) FY 2022–A request of \$304,038 was submitted to the Division of the

Budget.

c) FY 2023—A request of \$308,394 was submitted to the Division of the Budget.

- 2) Information regarding the International Conference of Funeral Service Examining Boards (ICFSEB):
  - a) National Board Examination (NBE) Results were reviewed and discussed.
- 3) There was no new information to report from the Council on Licensure, Enforcement and Regulation (CLEAR).
- 4) There was no new information regarding the Federation of Associations of Regulatory Boards (FARB).
- 5) Information from the Kansas Funeral Directors Association (KFDA):
  - a) The Board reviewed the March 2021 edition of the KFDA Journal.
  - b) KFDA email about the Virtual Spring Meeting
- 6) The KSBMA's website, located at <http://ksbma.ks.gov/>, continues to be regularly updated by the KSBMA's administrative staff.
- 7) Information from the National Funeral Directors Association (NFDA).
  - a) FEMA Funeral Reimbursement for COVID Deaths
- 8) There was no new information to report from the Federal Trade Commission (FTC) Funeral Rule.
- 9) There was no new information to report from the American Board of Funeral Service Education (ABFSE.)
- 10) There was no new information to report from the Cremation Society of North America (CANA.)
- 11) There was no new information to report from the Funeral Consumer's Alliance (FCA.)
- 12) There was no new information to report from the Funeral Consumer's Alliance of Greater Kansas City (FCA-GKC.)
- 13) Information from the Kansas Department of Health and Environment (KDHE), Office of Vital Statistics (OVS).
  - a) Policy on replacement death certificates when an amendment is made.
- 14) The Mortuary Science Program at Kansas City Kansas Community College (KCKCC.) In session and in person with seven who graduated in December and twenty four who are attending in January.
- 15) There was no new information to report from the Kansas Mass Fatality Planning Task Force.
- 16) The agency's Continuity of Operations Planning System (COOP) continues to be updated quarterly or more often as is needed. This is the system utilized in cases of emergencies by the State of Kansas for state agencies. COOP also sends monthly planning topics to all state agencies—including the KSBMA.
- 17) No new information from Non-Cabinet Agency Heads Meetings.
- 18) No new information from Smaller State Agencies Administrator's Meetings (SSAAM).

**VIII. The board met with Applicants for Licensure to discuss their applications and**

**apprenticeships:**

**10:30 a.m. Embalmer-Funeral Director Applicant: Ms. Sylvanya E. Engdahl**

(Steil-Boomhower) To grant an embalmer license upon payment of an initial license fee of \$84.00 and to grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$84.00. Carried. Ms. Engdahl will complete her embalmer and funeral director apprenticeships on May 7, 2021 at Jones Funeral Home located in Burlington, Kansas. Once issued, the renewal date for the licenses would be May 31, 2022. Ms. Engdahl was granted an Associate in Applied Science Degree in Mortuary Science at Kansas City Kansas Community College (KCKCC) located in Kansas City, Kansas and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.)

**10:40 a.m. Embalmer-Funeral Director Applicant: Ms. Teagan E. (Nyren) Winger**

(Steil-Boomhower) To grant an embalmer license upon payment of an initial license fee of \$49.00 and to grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$0.00. Carried. Ms. Winger completed her embalmer and funeral director apprenticeships on March 6, 2021 at Amos Family Funeral Home & Crematory located in Shawnee, Kansas. Once issued, the renewal date for the license would be August 31, 2022. Ms. Winger was granted an Associate in Applied Science Degree in Mortuary Science at Kansas City Kansas Community College (KCKCC) located in Kansas City, Kansas and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.)

**10:50 a.m. Funeral Director Applicant: Ms. Jami E. Jackson Howell**

(Elliott-Steil) To grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$38.00. Carried. Ms. Jackson Howell completed her funeral director apprenticeship on March 12, 2021 at DeVorss Flanagan-Hunt Mortuary located in Wichita, Kansas. Once issued, the renewal date for the licenses would be August 31, 2022. Ms. Jackson Howell attended Kansas City Kansas Community College (KCKCC) located in Kansas City, Kansas.

**11:00 a.m. Funeral Director Applicant: Ms. Bethany M. Watson-Jaquis**

(Steil-Boomhower) To grant a funeral director license upon passing the written

funeral director examination, which will be administered later today and payment of an initial license fee of \$14.00. Carried. Ms. Watson-Jaquis will complete her funeral director apprenticeship on April 21, 2021 at Resthaven Mortuary located in Wichita, Kansas. Once issued, the renewal date for the licenses would be November 30, 2021. Ms. Watson-Jaquis was granted Associate of Applied Science Degree in Mortuary Science at Arapahoe Community College (ACC) located in Littleton, Colorado and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) She received her reciprocal embalmers license October 19, 2020.

**11:10 a.m. Funeral Director Applicant: Mr. Jimmy R. Brown**

(Steil-Boomhower) To grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$20.00. Carried. Mr. Brown completed his funeral director apprenticeship on March 13, 2021 at Fellers Funeral Home & Monuments located in Syracuse, Kansas. Once issued, the renewal date for the licenses would be February 28, 2021. Mr. Brown was granted a BS Degree in Funeral Service at the University of Central Oklahoma located in Edmond, Oklahoma.

**11:20 a.m. Reciprocal (Missouri) Funeral Director Applicant: Mr. Philip J. Zehms**

(Steil-Boomhower) To grant a reciprocal funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$18.00. Carried. Once issued, the renewal date for the license would be December 31, 2021. Mr. Zehms was granted a BA Degree at the University of Missouri located in Columbia, Missouri and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) He is employed at Overland Park Funeral Chapel located in Overland Park, Kansas and is currently a licensed Missouri Funeral Director and Kansas assistant funeral director.

**11:30 a.m. Reciprocal (California) Funeral Director Applicant: Mr. Lyman D. Wheeler**

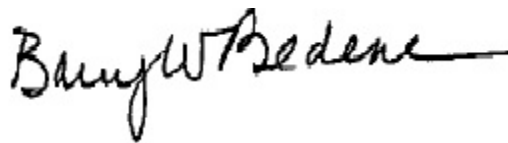
(Steil-Boomhower) To grant a reciprocal funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$76.00. Carried. Once issued, the renewal date for the license would be November 30, 2021. Mr. Wheeler was granted a BS Degree at Wichita State University located in Wichita, Kansas and was granted a BS Degree in Funeral Service at Central State University located in Edmond, Oklahoma. He passed the embalmers examination administered by the State Board of Embalming of Kansas in 1984. He was once a licensed embalmer and funeral director in the state of Kansas until 2008. He is employed at Smith Mortuary located in Derby, Kansas.

**IX. 11:40 a.m. New/Old/Remaining Business/Adjournment**

(Steil-Boomhower) To adjourn—subject to recall by the president, vice president or executive secretary. Carried. The date of the next regularly scheduled board meeting is Thursday, April 8, 2021.

At approximately 1:30 p.m. Executive Secretary Carey read instructions to the funeral director examinee applicants prior to the administration of the funeral directors' examination which was proctored by Office Manager, Kim Cottrell in the Florentine Room of the Jayhawk Tower.

Respectfully submitted:



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Barry W. Bedene, President  
Thursday, July 8, 2021  
(Date)



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J.W. Carey, Executive Secretary  
Thursday, July 8, 2021  
(Date)